

## **ITEM 2**

<b>Application Reference</b>	<b>DC/079678</b>
<b>Location:</b>	Southern Part, Old Canal Yard Reuben Street South Reddish Stockport SK4 1PS
<b>PROPOSAL:</b>	Demolition of existing structures and erection of a 3 Storey Block of 9 no. apartments, together with access provision, car parking and landscaping (Revised Scheme following approval of Application DC/074910 granted 09/01/2020)
<b>Type Of Application:</b>	Full Application
<b>Registration Date:</b>	08.02.2021
<b>Expiry Date:</b>	Extension of time agreed
<b>Case Officer:</b>	Jeni Regan
<b>Applicant:</b>	Prosper Properties Group Limited
<b>Agent:</b>	Kenyon Planning

### **DELEGATION/COMMITTEE STATUS**

Planning and Highways Regulation Committee – Departure from the Development Plan. Application referred to Heatons and Reddish Area Committee for comment and recommendation only.

### **DESCRIPTION OF DEVELOPMENT**

Planning permission was granted by Planning and Highways Committee in January 2020 under application DC/074910, for the demolition of existing structures on the site and the erection of a residential development of 9 no. apartments within a three storey block, with associated access, parking and landscaping.

Since the granting of this planning permission, there has been a dispute over the precise position of the land ownership boundary between the application site and the adjacent Rope Works site. Therefore, it has been necessary to submit a new application with a revised site edge red boundary to exclude the area of land that is currently in dispute.

Despite the minor reduction in the site area within the submitted site edge red, the proposed development remains the same in relation to the description of development, which is for the erection of a 3 storey building to provide 9 no. apartments. The scheme is very similar to that approved as part of application DC/074910, with the main differences to the scheme being as follows:

- The apartment building has been moved a small distance to the north-east
- The car parking has been reconfigured (although the number of spaces remains at 15, with 2 of these spaces being for disabled persons and 2 EV charging points being provided)
- The bin store has been relocated

- The bike store has been relocated
- A smaller turning area is proposed

The proposed apartment building would have a maximum width of 11.2 metres, a maximum length of 29 metres and a maximum height of 10 metres and would be of contemporary design, including single pitched and flat roofed elements, projecting bays and balconies. The materials of external construction are specified as a variety of brick, render and timber cladding for the external walls and tiles for the roof, with grey aluminium and UPVC for the external window and doorframes. Internally, the proposed building would provide 3 no. two bedroomed apartments at ground floor level, 3 no. two bedroomed apartments at first floor level and 3 no. two bedroomed apartments at second floor level.

The proposed development would be served via an access road which would take access from the End of Reuben Street. The first section of the proposed access road would feature a turning area just beyond the end of Reuben Street, the road would then extend Southwards towards the proposed apartment building and a second turning area would be provided towards the end of the road. 15 car parking spaces are proposed to serve the proposed development, accessed directly from the access road and a cycle store is proposed to be provided.

Externally, amenity space areas would be provided either through garden areas to the south east and south west of the building, or balconies to serve the proposed apartments on the upper floors. A bin storage area would be provided to the north western boundary.

Details of the siting and design of the proposed development are appended to the report.

## **SITE AND SURROUNDINGS**

The 0.15 hectare application site comprises a long narrow strip of land containing a collection of single storey buildings in a poor state of repair and associated hardstanding which were last used for employment/commercial purposes in 2015. Access to the site is taken via an existing narrow access point from Reuben Street to the North West.

The site is adjoined to the North East by commercial and industrial units on Coronation Street, which are situated at a lower level to the site. Beyond a small car park to the South East is an 'Asda' superstore.

Adjoining the site to the South West are residential properties on Reuben Street and the former Rope Works site on Stanbank Street, for which full planning permission for the conversion and redevelopment of this site to create 34 residential dwellings was granted in February 2018, following consideration and approval by Heaton and Reddish Area Committee (Reference : DC063392).

To the North West of the site are residential properties on Reuben Street and The Parklands, with the current area of vacant land to the North West being granted full planning permission for a two/three storey block of 8 apartments in September 2019 (Reference : DC073720).

## **POLICY BACKGROUND**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications and appeals to be determined in accordance with the Statutory Development Plan unless material considerations indicate otherwise.

The Statutory Development Plan for Stockport comprises :-

- Policies set out in the Stockport Unitary Development Plan Review (saved UDP) adopted on the 31<sup>st</sup> May 2006 which have been saved by direction under paragraph 1(3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004; and
- Policies set out in the Stockport Local Development Framework Core Strategy Development Plan Document (Core Strategy DPD) adopted on the 17<sup>th</sup> March 2011.

The application site is allocated within an Employment Area, as defined on the Proposals Map of the adopted Stockport Unitary Development Plan Review (UDP). The following policies are therefore relevant in consideration of the proposal :-

### **Saved UDP policies**

- EP1.7 : DEVELOPMENT AND FLOOD RISK
- L1.2 : CHILDRENS PLAY
- L1.10 : CANALS AND DISUSED RAILWAYS
- E3.1 : PROTECTION OF EMPLOYMENT AREAS
- MW1.5 : CONTROL OF WASTE FROM DEVELOPMENT

### **Core Strategy DPD policies**

- CS1 : OVERARCHING PRINCIPLES : SUSTAINABLE DEVELOPMENT - ADDRESSING INEQUALITIES AND CLIMATE CHANGE
- SD-1 : CREATING SUSTAINABLE COMMUNITIES
- SD-3 : DELIVERING THE ENERGY OPPORTUNITIES PLAN – NEW DEVELOPMENT
- SD-6 : ADAPTING TO THE IMPACTS OF CLIMATE CHANGE
- CS2 : HOUSING PROVISION
- CS3 : MIX OF HOUSING
- CS4 : DISTRIBUTION OF HOUSING
- H-1 : DESIGN OF RESIDENTIAL DEVELOPMENT
- H-2 : HOUSING PHASING
- H-3 : AFFORDABLE HOUSING
- CS7 : ACCOMMODATING ECONOMIC DEVELOPMENT
- AED-3 : EMPLOYMENT DEVELOPMENT IN EMPLOYMENT AREAS
- CS8 : SAFEGUARDING AND IMPROVING THE ENVIRONMENT
- SIE-1 : QUALITY PLACES
- SIE-2 : PROVISION OF RECREATION AND AMENITY OPEN SPACE IN NEW DEVELOPMENTS
- SIE-3 : PROTECTING, SAFEGUARDING AND ENHANCING THE ENVIRONMENT
- CS9 : TRANSPORT AND DEVELOPMENT
- T-1 : TRANSPORT AND DEVELOPMENT
- T-2 : PARKING IN DEVELOPMENTS

- T-3 : SAFETY AND CAPACITY ON THE HIGHWAY NETWORK

### Supplementary Planning Guidance and Documents

Supplementary Planning Guidance and Documents (SPG's and SPD's) do not form part of the Statutory Development Plan. Nevertheless, they do provide non-statutory Council approved guidance that is a material consideration when determining planning applications. Relevant SPG's and SPD's include :-

- OPEN SPACE PROVISION AND COMMUTED PAYMENTS SPD
- PROVISION OF AFFORDABLE HOUSING SPG
- DESIGN OF RESIDENTIAL DEVELOPMENT SPD
- SUSTAINABLE DESIGN AND CONSTRUCTION SPD
- SUSTAINABLE TRANSPORT SPD

### National Planning Policy Framework (NPPF)

The NPPF, initially published on 27<sup>th</sup> March 2012 and subsequently revised and published on 19<sup>th</sup> February 2019 by the Ministry of Housing, Communities and Local Government, sets out the Government's planning policies for England and how these are expected to be applied.

In respect of decision-taking, the revised NPPF constitutes a 'material consideration'.

Paragraph 1 states *'The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied'*.

Paragraph 2 states *'Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise'*.

Paragraph 7 states *'The purpose of the planning system is to contribute to the achievement of sustainable development'*.

Paragraph 8 states *'Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives) :-*

- a) *An economic objective*
- b) *A social objective*
- c) *An environmental objective'*

Paragraph 11 states *'Plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means :-*

*c) Approving development proposals that accord with an up-to-date development plan without delay; or*

*d) Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless :-*

*i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*

*ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole’.*

Paragraph 12 states ‘.....Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local Planning Authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed’.

Paragraph 38 states ‘Local Planning Authorities should approach decisions on proposed development in a positive and creative way..... Decision-makers at every level should seek to approve applications for sustainable development where possible’.

Paragraph 47 states ‘Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing’.

Paragraph 213 states ‘existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)’.

### National Planning Practice Guidance (NPPG)

NPPG is a web-based resource which brings together planning guidance on various topics into one place (launched in March 2014) and coincided with the cancelling of the majority of Government Circulars which had previously given guidance on many aspects of planning.

### RELEVANT PLANNING HISTORY

- DC074910 : Demolition of existing structures and erection of 9 no. apartments within a three storey block, with associated access, parking and landscaping. Granted – 09/01/20
- DC073720 : Demolition of existing structures and erection of a two/three storey block of 8 no. apartments, with associated access, parking and landscaping (Land to North of site) : Granted – 11/09/19.
- DC067264 : Discharge of condition 17 of planning permission DC062105 : Discharged – 17/11/7.
- DC066556 : Outline application including details of access, layout and scale for the Erection of nine apartments (three blocks each containing three units) : Granted – 26/04/18.

- DC062105 : Erection of replacement employment units and erection of one block of flats (Outline application, means of access and layout only). Resubmission of DC059714 : Granted – 21/12/16.
- DC059714 : Erection of replacement employment units and erection of two blocks of flats of 9 units (Outline application, means of access and layout only) : Refused – 23/12/17.
- DC053757 : Creation of new dwelling - resubmission of amended scheme (Land to North of site, adjacent to Number 14 The Parklands) : Granted – 26/11/13.
- DC051142 : Erection of a new dwelling (Land to North of site, adjacent to Number 14 The Parklands) : Refused – 11/12/12.
- J.68766 : Variation of condition 2 of planning permission J.61357 to retain the timber hut : Granted – 17/12/97.
- J.61357 : Retention of timber hut : Granted – 08/08/95.
- J.27288 : Offices and warehouse : Withdrawn.
- J.27069 : Change of use for storage of rush mats, wicker-works and similar items for ancillary use (Section 53 determination) : Planning Permission Required – 24/02/82.
- J.25071 : Change of use for importing and distributing electrical tools and equipment (Section 53 determination) : Planning Permission Required – 24/02/82.
- J.11253 : Change of use from builders and joiners yard, to storage of car cleaning equipment and 4 or 5 cars : Refused – 04/04/78.
- J.3866 : Change of use to use part of existing building for private car repairs : Refused – 20/08/75 : Appeal Dismissed – 09/03/76.
- J.3603 : Change of use to boarding kennels : Refused – 30/07/75.

## **NEIGHBOUR'S VIEWS**

The owners/occupiers of surrounding properties and units were notified in writing of the application and the application was advertised by way of display of notice on site and in the press.

No letters of representation have been received for the application.

## **CONSULTEE RESPONSES**

### **Highways**

#### **Original comments received 19.04.2021**

This application, seeking permission for the erection of a 9-unit apartment block on part of an existing employment site at the northern end of Reuben Street (a mainly

residential street in South Reddish), follows on from a number of previous applications for this site, including application DC/074910 which was approved in January 2020. I note the scheme is very similar to that approved as part of that application, but has been amended slightly due to land ownership / boundary issues, with the main differences to the scheme being:

- 1) The apartment building has been moved a small distance to the north-east
- 2) The car parking has been reconfigured (although the number of spaces remains at 15, with 2 of these spaces being for disabled persons and 2 EV charging points being provided)
- 3) The bin store has been relocated
- 4) The bike store has been relocated and is shown to accommodate 8 cycles (as opposed to 9)
- 5) A smaller turning area is proposed

After examining the submitted plans and information, I would make the following comments:

As outlined in respect to the previous scheme (approved under application DC/074910), I consider the site is reasonably accessible, that proposal should not have a material impact on the local highway network, an adequate level of car parking will be provided and, subject to detail, the development should be able to be accessed in a safe and practical manner. Although the turning area close to the apartment building will be slightly smaller than the turning area that would have been provided as part of the approved scheme, this would be suitable for use by the majority of vehicles and the occasional larger vehicle would be able to use the turning area to the northern end of the site. I do not, however, consider the cycle parking acceptable, as secure cycle parking would only be provided for 8 of the 9 apartments (Policy T-1 requires cycle parking for every apartment). In addition, the proposed cycle store would be too cramped due to the inner partition. These issues, however, could be addressed by removing the inner partition in the cycle store and providing a cycle locker to provide secure cycle parking for another bike.

I therefore raise no objection to this application, subject to the receipt of a revised plan and conditions.

Recommendation: No objection, subject to the receipt of a revised plan and conditions.

### Conditions

1) No development shall take place until a method statement detailing how the development will be constructed (including any demolition and site clearance) has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include details on phasing, access arrangements, turning / manoeuvring facilities, deliveries, vehicle routing, traffic management, signage, hoardings, scaffolding, where materials will be loaded, unloaded and stored, parking arrangements and mud prevention measures. Development of the site shall not proceed except in accordance with the approved method statement.

*Reason: To ensure that the approved development is constructed in a safe way and in a manner that will minimise disruption during construction, in accordance with Policy T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD. The details are required prior to the commencement of any*

*development as details of how the development is to be constructed need to be approved prior to the commencement of construction activities.*

2) No work shall take place in respect to the construction of the approved access road until detail drawings of the access road (and associated turning areas and tie in with Reuben Street) that will serve the approved development have been submitted to and approved in writing by the Local Planning Authority, together with a Stage 2 Road Safety Audit for the road, Designer's Response to the Audit and details of how the road will be managed and maintained. The drawings shall include:

- 1) A general arrangement / layout, based on a topographical survey and to a scale not less than 1:200, showing the road, footways, verges and turning areas
- 2) Details of kerbing, levels, pedestrian crossing points and traffic calming features
- 3) Specification details
- 4) Details of how the road will be drained
- 5) Details of street lighting, signage and carriageway markings
- 6) Details of the vehicle restraint system to be erected along the east side of the road
- 7) Details of visibility splays

No part of the development shall be occupied until the access road has been constructed in accordance with the approved drawings and is available for use. No structure, object, plant or tree exceeding 600mm in height shall subsequently be erected or allowed to grow to a height in excess of 600mm within the visibility splays. The access road shall thereafter be retained, remain available for use and be managed and maintained in accordance with the approved details.

*Reason: In order that the site will benefit from safe and practical access arrangements, parking, turning and servicing facilities in accordance with Policies SIE-1 'Quality Places', CS9 'Transport and Development' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD. The details are required prior to the commencement of any development as the layout and levels of the road need to be agreed prior to the commencement of development as subsequent changes may not be technically possible or could result in work that has been carried out being abortive.*

3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) no gate or other means of obstruction shall be erected across the site access road that will serve the approved development at any time.

*Reason: In order to ensure that vehicles can enter and exit the site unhindered and turn within the site in terms of Policies SIE-1 'Quality Places', CS9 'Transport and Development' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD.*

4) No work shall take place in respect to the construction of the car parking facilities to be provided for the approved development until a detailed drawing of the car parking facilities have been submitted to and approved in writing by the Local Planning Authority. Details shall include how the car parking facilities will be surfaced, drained, marked out, signed and illuminated. The approved development shall not be occupied until the car parking facilities have been provided in accordance with the approved drawing and are available for use. The car parking facilities shall thereafter be retained and shall remain available for use. The car



parking facilities shall be illuminated at all times during the hours of darkness that the car park is in use (either permanently or using motion-controlled lighting).

*Reason: To ensure that adequate parking facilities are provided and that they are appropriately located and are of a safe and practical design, in accordance with Policies SD-6 'Adapting to the impacts of climate change', SIE-1 'Quality Places', T-1 Transport and Development', T-2 'Parking in Developments' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD, supported by Chapter 10, 'Parking', of the SMBC 'Sustainable Transport' SPD.*

5) Details of proposals for the provision of the following electric vehicle charging points and associated equipment within the approved development shall be submitted to and approved in writing by the Local Planning Authority:

- 1) Two charging points for the charging of electric vehicles within the site
- 2) The provision of ducting / cable runs to every parking space within the site so as to allow charging points to be provided for each space in the future.

Details to be submitted shall include details of the electric charging equipment and how the spaces with electric charging equipment in the car parks will be signed and marked out, together with a method statement outlining how the spaces and electric charging equipment will be managed and operate. The approved development shall not be occupied until the parking spaces and electric charging equipment have been provided in accordance with the approved details and are available for use and ducting / cable runs have been provided to all other parking spaces. The parking spaces and electric charging equipment shall thereafter be retained, as approved, and shall remain available for use. The spaces and associated electric charging equipment shall be managed and operated at all times in complete accordance with the approved method statement (or alternative method statement as may have been approved in writing by the Local Planning Authority).

*Reason: To ensure that adequate parking with facilities for the charging of electric vehicles are provided in accordance with Policies SD-6 'Adapting to the impacts of climate change', SIE-3: Protecting, Safeguarding and enhancing the Environment, T-1 Transport and Development', T-2 'Parking in Developments' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD and Paragraphs 110, 170 and 181 of the National Planning Policy Framework.*

6) No work shall take place in respect to the provision of cycle parking within the site until details of proposals to provide the following cycle parking facilities within the site have been submitted to and approved in writing by the Local Planning Authority:

- 1) Long-stay cycle parking (a covered and secure cycle store/s) for a minimum of 9 cycles
- 2) Short-stay cycle parking (Sheffield stands, or similar) for a minimum of 1 cycle

The development shall not be occupied until the cycle parking facilities have been provided in accordance with the approved details. The cycle parking facilities shall then be retained and shall remain available for use at all times thereafter.

*Reason: To ensure that safe and practical cycle parking facilities are provided so as to ensure that the site is fully accessible by all modes of transport in accordance with Policies CS9 'Transport and Development', T-1 'Transport and Development' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD and the cycle parking facilities are appropriately designed and located in accordance with Policies SIE-1 'Quality Places' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD, supported by paragraphs 10.9-10.12 'Bicycle Long and Short Stay Parking', of the SMBC Sustainable Transport SPD.*

7) A detail drawing/s illustrating a scheme to:

- 1) Provide uncontrolled pedestrian crossings (dropped kerbs with tactile paving) at the existing access points on the north-western side of Reuben Street between the site and Manchester Road
- 2) Construct footways where there are missing sections of footway on the north-western side of Reuben Street between the site and Manchester Road

shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the crossings have been provided and footways have been constructed in accordance with the approved drawing.

*Reason: To ensure that the development has safe and good quality pedestrian access arrangements in accordance with Policies SIE-1 'Quality Places', CS9 'Transport and Development', T-1 'Transport and Development' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD*

### Informatives

*The Highway Authority (Stockport Council) considers the first section of the site access road and turning head to the north of the site should be constructed to adoptable standards and offered to the Highway Authority as highway (discussions can take place in respect to the possibility of adopting the remainder of the road). This will require the applicant / developer to enter into a Section 38 Agreement, under the Highways Act 1980. The Agreement will need to be in place prior to the commencement of any works. The applicant / developer should contact the Highways Section of Planning Services (0161 474 4905/6) with respect to this matter.*

*In addition to planning permission, the applicant / developer will need to obtain the consent of / enter into an agreement with the Highway Authority (Stockport Council) for the approved / required highways works. There will be a charge for the consent / to enter into an agreement. Consent will be required / the agreement will need to be in place prior to the commencement of any works. The applicant / developer should contact the Highways Section of Planning Services (0161 474 4905/6) with respect to this matter.*

*A condition/s of this planning consent requires the submission of detailed drawings / additional information relating to the access arrangements / parking / works within the highway. Advice on the discharge of highways related planning conditions is available within the 'Highways and Transport Advice' section of the planning pages of the Council's web-site ([www.stockport.gov.uk](http://www.stockport.gov.uk)). The applicant is advised to study this advice prior to preparing and submitting detailed drawings / the required additional information.*

*A condition of this planning consent requires the submission of a Construction Method Statement. In order to ensure that the statement includes all the required information the applicant / developer is advised to use the Council's template Construction Method Statement. This can be obtained from the 'Highways and Transport Advice' section within the planning pages of the Council's web-site ([www.stockport.gov.uk](http://www.stockport.gov.uk)).*

### **Further comments received 25.05.2021**

I write with reference to the following drawings / document which has been submitted in response to my comments dated 19<sup>th</sup> April 2021.

- Drawing NN706-PL-203 Rev E 'Proposed Site Plan'
- Drawing KN684-C-201 Rev A 'Proposed Contractors Compound'
- Construction Environmental Management Plan Ref: NN706 -E-04 [Rev A]

After examining these drawings and document, I would make the following comments:

I note that the site layout plan has been amended to show the provision of an additional cycle locker (so as to provide covered and secure cycle parking for the required number of bikes), as well as a cycles stand for visitors. The drawing, however, does not show the inner partition in the cycle store being removed as advised (the cycle store would be too cramped with the inner partition in place). This matter, however, can be dealt at detailed design stage / by condition.

With respect to the drawing KN684-C-201 Rev A, a review of this concludes that the construction site layout shown on this drawing would be acceptable, subject to the access road (and associated turning head) to be constructed as Phase 1 of the development being constructed and made available for use prior to the construction of Phase 2. This would need to be outlined in the Construction Environmental Management Plan (CEMP). A review of the CEMP, however, concludes that it does not include all the required information. As such, it is not considered sufficient in its present form and therefore requires further development. Therefore, the previous pre-commencement condition relating to the submission of a construction method statement will need to remain.

I therefore raise no objection to this application, subject to conditions.

### **Conservation**

No objections to the amendments to the proposed form of the proposed building – these will result in no greater impact upon the setting of the former locally listed former Ropeworks fronting Stanbank Street that lies adjacent to this plot than the previously approved scheme.

### **Nature Development**

Nature Conservation Designations - The site has no nature conservation designations, legal or otherwise.

Legally Protected Species - An ecology survey has been carried out and submitted with the application. The survey was carried out in June 2019 by a suitably experienced ecologist and aimed to identify the habitats on site and assess the potential for protected species to be present (bEK Enviro Ltd, September 2019).

Many buildings and trees have the potential to support roosting bats. All species of bats and their roosts are protected under UK (Wildlife and Countryside Act 1981 (as amended)) and European legislation (The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations, 2019). Two prefabricated buildings and a shipping container are present on site. These structures are assessed as offering negligible potential to support roosting bats. None of the trees on site were found to have suitable bat roosting features on account of their young age.

Buildings and vegetation can offer potential bird nesting habitat. All breeding birds and their nests are protected under the Wildlife and Countryside Act 1981 (as amended).

From review of aerial imagery, habitats to the northeast of the application site appear to offer some potential to support badger. There are records for badger in the local vicinity and there is good habitat connectivity provided by the neighbouring fields to the allotment and then along the railway line. Badgers and their setts are legally protected under the Protection of Badgers Act 1992. Access to this part of the site was restricted due to it being fenced off and so habitats surrounding this area were surveyed. No evidence indicative of badger presence was recorded within 200m of the site. The risk of badgers being present within this section of the site where access was not possible is therefore reduced as signs of badger activity in the wider area would be expected should they be present within the application site.

**Invasive Species** - A stand of Japanese knotweed was recorded along the southeast boundary of the application area. Japanese knotweed is listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) which makes it an offence to plant or otherwise cause to spread this species in the wild.

#### Recommendations:

The proposals are considered to be of low risk to roosting bats. Bats can roost in unlikely places however and so as a precautionary measure, I would recommend that an informative is attached to any planning permission granted so that the applicant is aware of the potential (albeit low) for roosting bats to be present on site. It should also state that the granting of planning permission does not negate the need to abide by the laws which are in place to protect biodiversity. Should at any time bats or any other protected species be discovered on site, work should cease immediately and Natural England/a suitably experienced ecologist should be contacted.

In relation to breeding birds, the following condition would be relevant: [BS42020: D.3.2.1] No vegetation clearance/demolition works should take place between 1st March and 31st August inclusive, unless a competent ecologist (or other suitably qualified person) has undertaken a careful, detailed check of vegetation/buildings for active birds' nests immediately before vegetation clearance/demolition works commence and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site.

The following condition should be attached to any planning permission granted: [BS42020: D.3.10] Prior to the commencement of development, an invasive non-native species protocol shall be submitted to and approved by the LPA, detailing the containment, control and removal of Japanese knotweed on site. The measures shall be carried out strictly in accordance with the approved scheme.

No evidence of badger activity was recorded within 200m of the application site. Access to habitats to the northeast of the site was however restricted during the survey. Should badgers be present within this restricted area, it would generally be expected that badger signs would be recorded within the surrounding habitats. Nonetheless, as a precautionary measure, given that badgers are known to be present within the wider landscape and that badgers can move into new areas relatively quickly, I would advise that a pre-works survey for badger is carried out [no more than three months] in advance of any development commencing to confirm badger absence and ensure no change in baseline conditions since the 2019 survey. This survey should be carried out by a suitably experienced ecologist and in accordance with best practice survey guidance and can be secured by condition.

Developments are expected to provide net gains for biodiversity (in accordance with national and local planning policy) and these enhancements can be conditioned as part of any planning consent granted. Appropriate measures include:

- the provision of bat and/or bird roosting/nesting facilities on/integrated within the proposed buildings
- landscape planting comprising locally native species beneficial to wildlife (some suitable species are provided in the ecology report: bEk Enviro Ltd, September 2019).
- I would also recommend that occasional gaps are provided (13cmx13cm) at the base of any boundary fences/walls to maintain habitat connectivity for species such as hedgehog.
- Information submitted with the application proposes hedgerow along the boundary – this hedge should comprise a mix of wildlife-friendly species to maximise benefits to biodiversity (e.g. hawthorn, holly, hazel, guelder rose and dog rose).

Details of bat/bird boxes and other biodiversity features together with proposed landscape planting should be submitted to the LPA for review. Replacement planting will be required to mitigate for any trees to be lost to facilitate the scheme. Retained trees should be adequately protected from potential impacts associated with the development in accordance with British Standards.

Any proposed lighting should be sensitively designed so as to minimise impacts on wildlife associated with light disturbance (following paragraph 4.1.3 in the bEK Enviro September 2019 report and the principles outlined in Bat Conservation Trust guidance: [http://www.bats.org.uk/pages/bats\\_and\\_lighting.html](http://www.bats.org.uk/pages/bats_and_lighting.html)) .

### **Arboriculture**

Conservation Area Designations - There is no Conservation area protection within this site or affected by this development.

Legally Protected Trees - There are no legally protected trees within this site or affected by this development.

Recommendations:

The proposed construction including associated infrastructure of the site predominantly sits within the informal grounds and hard standing areas of the site and will not have an impact on trees on site or neighbouring the site.

The main concern for the development is the potential accidental damage during the construction stages of the site and the ever increasing urban aspect of the site and surrounding areas. There is no indicative tree planting shown on the site layout plan and landscape plan, so there is no evidence on how they propose to enhance the ever increasing urban setting but some consideration needs to be given to the increase of screening of the site from the properties and vice versa as well as increased hard landscaped tree pit planting at the entrance to the site with the removal of the grass verge or design to allow a trench tree pit along the access road to enhance the route and improve SUDs capacity of the site, while also considering the biodiversity and environmental aspect of trees within the urban setting.

The proposed development will potentially not impact on the trees through the construction stages on site with no trees being shown within proximity of the new build and without the tree survey details it is assumed no impact from developments will occur.

Due to the ever increasing urban aspect of South Reddish further enhancement planting scheme needs to be delivered in accordance with the Councils policy for tree cover in revised landscape scheme submitted to off-set the impact on the biodiversity of the site and enhancing the local environment with increased level of tree cover for the site or within surrounding environment if no room within the red edge, but this can be submitted as part of the full planning application.

The tree planting will impact on biodiversity, aesthetics and general screening of the site. The development will not need to supply protective fencing and advisory notices to prevent any damage, accidental spillage or compaction on the trees and their root systems.

Consideration should be given to the proposed tree planting as part of the scheme as the plan shows no proposed tree planting throughout the site that will enhance the local area the details of the tree size which needs to be increased to a minimum of extra heavy standards for all planting and species need to be reviewed as some species need to be assessed with inappropriate/nuisance species removed to prevent future issues on the site and noted in the landscape plan.

In principle the proposed construction will not have an impact on the trees on site and within neighbouring properties, therefore it is only acceptable in its current format with the submission of a revised landscaping schemes submitted to discharge the conditions and consideration of the above is given in this schemes.

The following conditions would be relevant to any planning application relating to the site;

#### Condition Tree 3

*No development shall take place until details of all proposed tree planting, including the intended dates of planting, have been submitted to and approved in writing by the local planning authority. All tree planting shall be carried out in accordance with the approved details prior to the development being brought into use.*

### **Contaminated Land**

I have reviewed the Phase 1 report. The report recommends that a Phase 2 should be undertaken for soil and gas, I agree with this.

As such, could I please request the following conditions :-

- CTM1
- CTM2
- CTM3
- LFG1
- LFG3

### **Drainage (LLFA)**

The total site boundary is 1654.5 m<sup>2</sup> and its proposed to be constructed in 2 Phases. The site for the current application (Phase 2) is section of the land on the southern part the former Stockport Canal which was filled-in many years ago.

This LLFA reviews the drainage information submitted via

- PRELIM\_DRAINAGE\_STRATEGY Ref: REK/19618/190926/PPGL produced by BEK Enviro Ltd dated 26th Sept 2019.

The proposed residential development is a brownfield site approximately 0.05ha; currently occupied by a Workshop with concrete driveway and derelict land. To the east of the site there is an industrial estate approx. 3 to 4m below the proposed development site. The change in level is accommodated by natural banking adjacent to the site, above a gabion retaining wall built as part of industrial estate

The strategy proposes to discharge attenuated surface water to a combined sewer. It is not acceptable for surface water to be discharged to a combined sewer until all other options have been comprehensively investigated. It is noted that there is a public surface water sewer close to what is assumed to be the phase 1 boundary (The Parklands). The UU sewer records indicate that a gravity connection to The Parklands sewer may be feasible. Please clarify how drainage for the overall site has been considered. If Phase 1 has taken a similar approach to Phase 2 then this may result in 10l/s of surface water being discharged to the head of a combined sewer.

Whilst the drainage strategy report includes a generic statement that excess flows should be attenuated within the boundary of the development, it does not make reference to the elevated position of the proposed development relative to the industrial estate. No boundary treatment to prevent overspill from the site entering the neighbouring industrial estate has been put forward; preventative mitigation measures should be submitted for drainage review.

The application is concerning demolition of existing buildings and as such a part-brownfield / part-greenfield approach is appropriate for calculating the run off; however the proposed 5 l/s is deemed acceptable.

The strategy report is un-sure about feasibility of a gravity solution and suggests a pumped solution may be considered as an alternative.

No Statutory Consultees liaison has been submitted, please submit a copy of UU pre-consultation correspondence.

The Preliminary Drainage Strategy submitted is inadequate to carry out a meaningful review; applicant / designer therefore is requested to: consider all of the above and re-submit a revised Drainage Strategy by:

§ Considering the overall site drainage requirements together with any phasing issues.

§ Following the SuDs hierarchy and incorporating a comprehensive assessment of all options. Any infiltration testing to be carried out to BRE 365 Digest guidance and standard at suitable locations.

§ Connectivity survey to be carried out to establish the existing drainage regime for the site; if any.

§ Consult United Utilities and assess surface water discharge options to their assets in case other discharge options are found not to be feasible.

§ Provide exceedance flow path marked with flow arrows, a boundary treatment provision for minimising risks of flood volumes entering the adjacent sites is recommended.

§ The strategy does not discuss SuDS source control components such as surface storage, rain gardens permeable paving etc. All options should be thoroughly assessed and any reasons for discounted options need to be fully explained

The re-submission should include Drainage Calculations for the 1 in: 1, 30 and 100 yrs plus 40 % storm events.

The submission to include an area-take-off graphic in support of the calculation clearly marked for the pre & post impermeable areas; demonstrating how the 50% betterment had been achieved.

### **Canal and River Trust**

The Canal & River Trust is a statutory consultee under the Town and Country Planning (Development Management Procedure) (England) Order 2015. The current notified area applicable to consultations with us, in our capacity as a Statutory Consultee was issued to Local Planning Authorities in 2011 under the organisations former name, British Waterways. The 2011 issue introduced a notified area for household and minor scale development and a notified area for EIA and major scale development.

This application falls outside the notified area for its application scale. We are therefore returning this application to you as there is no requirement for you to consult us in our capacity as a Statutory Consultee.

### **Planning Policy (Energy)**

The energy statement for this application is broadly compliant with Core Strategy Policy SD3. The policy's carbon reduction targets do not apply for residential developments of 10 or fewer dwellings. The energy statement proposes a vertical wind turbine to provide electricity for the lift and has identified solar PV (estimated carbon saving of 3314kg / year) and solar hot water (estimated carbon saving of 1840kg / year) as potential options for the development.

It should be noted that if technically feasible low / zero carbon heating technologies were to be included in the design then the running costs of the buildings would be reduced such that the cost of installing relevant technologies could be offset in an appropriate uplift in sale or rental value which could be marketed to potential occupants. Stockport Council have free guidance on marketing low carbon homes (attached) to provide an example of the potential uplift in value for a dwelling.

Including renewable technologies in the development would ensure that these properties contribute to the GM Zero Carbon target for 2038 and address the aims of the Stockport Climate Action Now Strategy. This would prevent the need for costly retrofit of the properties in the next nine years to ensure Net Zero – another positive marketing factor for the development.

## **ANALYSIS**

### **Policy Principle**

The application site is allocated within a designated Employment Area, as defined on the UDP Proposals Map. Saved UDP policy E3.1 and Core Strategy DPD policies CS7 and AED-3 essentially seek to protect such sites for continued employment use. As such, the proposed loss of employment use at the site is contrary to the above policies and the principle of a proposed residential development at the site represents a departure from the development plan.



In order to justify the proposed residential development, it is necessary for the applicant to demonstrate why the site is no longer appropriate for employment use, given the shortage of employment land identified within the Employment Land Review (ELR) for office use to 2031 and the likely shortage of land for industrial and warehousing use post 2020.

The following case has been asserted by the applicant:-

- The site was last used for employment purposes in 2015 and has remained vacant since that time.
- Whilst the land was last used for employment purposes, it should be noted that the previous outline planning permissions granted by the Council in 2016 (Reference : DC062105) and 2018 (Reference : DC066556) and the full planning permission granted by the Council in 2020 (Reference : DC074910) established the acceptability of residential development at the site and acknowledged that the loss of the existing employment site was justified.
- As part of the above planning permissions for residential development at the site, it was noted that the site is typical of a longstanding and dated small-scale commercial site which has declined over the years to a point where it has become unattractive to the market.
- Although abutted to the East, West and South by commercial development, the site is adjacent to existing established residential development on Reuben Street and is accessed via that development also.
- Commercial agents have considered the site very constrained and unsuited to the majority of commercial uses and that access to the site, via a tight, residential, cobbled street and unsuitable for HGV's, would severely affect the marketability of the site for commercial uses. As a result, agents feel that it would not be appropriate to market the site for continued commercial use and that the only viable use for the site would be for residential development.

It is acknowledged that saved UDP policy E3.1 and Core Strategy DPD policies CS7 and AED-3 undoubtedly seek to retain and protect employment uses on allocated employment sites. Nevertheless, a balancing exercise needs to be undertaken to identify whether there are material considerations that would justify a departure from established employment policy. It is evident from the information submitted in support of the application that it is clear that the applicant has demonstrated that, due to the identified characteristics and constraints of the site, the site is no longer considered appropriate for employment use. In addition, the loss of the employment designation has previously been considered acceptable at the site by Members as a departure from the development plan in 2016 (Reference : DC062105), 2018 (Reference : DC066556) and 2020 (Reference : DC074910).

In view of the above considerations, it is considered that the release of this designated employment site is clearly justified as a departure from the development plan in this particular case.

With regard to the acceptability of the principle of proposed residential development at the site, Core Strategy DPD policy CS4 directs new housing towards three spatial priority areas (The Town Centre, District and Large Local Centres and, finally, other accessible locations). Core Strategy DPD policy H-2 states that the delivery and supply of new housing will be monitored and managed to ensure that provision is in

line with the local trajectory, the local previously developed land target is being applied and a continuous 5 year deliverable supply of housing is maintained and notes that the local previously developed land target is 90%.

The NPPF puts additional emphasis upon the government's objective to 'significantly boost the supply of housing, rather than simply having land allocated for housing development. Stockport is currently in a position of housing under-supply, with 2.8 years of supply against the minimum requirement of 5 years + 20%, as set out in paragraphs 47 of the NPPF. In situations of housing under-supply, Core Strategy DPD policy CS4 allows Core Strategy DPD policy H-2 to come into effect, bringing housing developments on sites which meet the Councils reduced accessibility criteria. Having regard to the continued position of housing under-supply within the Borough, the current minimum accessibility score is set at 'zero'.

In view of the above factors, the principle of 9 additional residential units at the site, comprising previously developed 'brownfield' land within an accessible and sustainable location. The principle of residential development at the site has previously been considered acceptable by Members in 2016 (Reference : DC062105), 2018 (Reference : DC066556) and 2020 (Reference : DC074910), is welcomed and considered acceptable at the current time of housing under-supply within the Borough. The current proposals make no material changes in this regard to the previous recent approval DC/074910.

On this basis, the proposal is considered to comply with Core Strategy DPD policies CS2, CS4 and H-2.

#### Design, Siting and Impact on Visual Amenity

It is acknowledged that the proposed siting of the building is in a different position to that previously approved in January 2020, however the apartment building has been moved only a small distance to the north-east and this would have no material change in terms of design and the impact on visual amenity.

The application site is located in a position where limited public vantage points are available, with the site being predominantly screened to the South West by the former Rope Works building and residential properties on Reuben Street, Morton Street and Stanbank Street. As such, no concerns are raised to the proposed three storey scale and height of the proposed development in this particular location, with such a scale previously being considered acceptable as part of full planning permission DC073720 for a two/three storey block of apartments to the North of the site in September 2019 and DC074910 for a three storey block.

Due to the location of the site, no concerns are raised to the general contemporary design of the proposed development, comprising a visually interesting variety of single pitched and flat roofs. Again, the proposed development would be similar in design to the development to the North of the site for which full planning permission was granted in September 2019 (Reference : DC073720). Suitably worded planning conditions would be imposed to secure appropriate materials of external construction, hard and soft landscaping and boundary treatment.

The proposed density of development at 60 dwellings per hectare is considered acceptable within such a high density, urban location. Private amenity space is being provided for each unit in either an external ground level garden area or a balcony for the upper floor apartments. Whilst it is acknowledged that this is below the required standard to serve 9 no. two bedroomed apartments, as recommended by the Design

of Residential Development SPD, such amenity space shortfalls are considered to be outweighed by the requirement for additional dwellings within the Borough and the current focus within Paragraphs 122 and 123 of the NPPF, which seek to maximise densities within residential developments where there is an identified housing need. As such, the NPPF desire to maximise densities within residential developments effectively supersedes private amenity space requirement guidance as recommended within the SPD, which Members will be aware has been reflected in recent appeal decisions.

In view of the above, it is considered that the quantum, size, scale, height and design of the proposed development could be successfully accommodated on the site without causing undue harm to the character of the street scene or the visual amenity of the area. As such, the proposal is considered to comply with Core Strategy DPD policies H-1 and SIE-1 and the Design of Residential Development SPD.

#### Impact on Residential Amenity

It is acknowledged that the proposed siting of the building is in a different position to that previously approved in January 2020 and that the site layout has been reconfigured to accommodate the small reduction in size of the site edge red. However, the apartment building has been moved only a small distance to the north-east and the changes to the parking, bin store and cycle store locations would have no material change in terms of the impact on residential amenity.

The site is adjoined to the North East by commercial and industrial units on Coronation Street and to the South East by an 'Asda' superstore. The proposed development would be well separated from the residential properties on The Parklands, Reuben Street, Morton Street and Stanbank Street to the North, North West and South West. No habitable room windows are proposed within the South Western side elevation of the proposed development and as such, noting the extant planning permission for the redevelopment of the adjacent former Rope Works site for residential development (Reference : DC063392), the proposed development would achieve a satisfactory relationship to these approved dwellings.

In view of the above, it is considered that the siting, layout and scale of the proposed development could be successfully accommodated on the site without causing undue harm to the residential amenity of surrounding properties, by reason of overshadowing, over-dominance, visual intrusion, loss of outlook, overlooking or loss of privacy. As such, the proposal is considered to comply with Core Strategy DPD policies SIE-1 and H-1 and the Design of Residential Development SPD.

#### Traffic Generation, Access, Highway Safety and Parking

A Transport Statement has been submitted in support of the application. The detailed comments received to the application from the Council Highway Engineer are contained within the Consultee Responses section above.

As outlined in respect to the previous scheme (approved under application DC/074910), it is considered that the site is reasonably accessible, that proposal should not have a material impact on the local highway network, an adequate level of car parking will be provided and, subject to detail, the development should be able to be accessed in a safe and practical manner.

Although the turning area close to the apartment building will be slightly smaller than the turning area that would have been provided as part of the approved scheme, this would be suitable for use by the majority of vehicles and the occasional larger vehicle would be able to use the turning area to the northern end of the site.

The Transport Statement submitted in support of the current application outlines that the proposed 9 apartments would be expected to generate around 3 vehicle movements during the AM and PM peaks. Added to the traffic generation from the recently approved 8 apartment scheme to the North of the site (DC073720), the fully developed site could generate around 5-6 vehicle movements during the AM and PM peaks. On this basis, the predicted small increase in vehicle movements at peak times should not result in a significant impact on the local highway network. Whilst the proposal could result in some intensification of use of Reuben Street, the provision of a turning head at the end of Reuben Street as proposed would compensate for the increased use of Reuben Street. As such, subject to the provision of the turning head, no objections are raised by the Highway Engineer in respect to traffic generation.

In terms of parking, it is noted that 15 parking spaces would be provided to serve the proposed 9 apartments, which equates to a level of parking of 166%. This is within the minimum permitted based on adopted parking standards and should meet demand, noting that car ownership level in the area is approximately 100%. 2 parking spaces for disabled badge holders is proposed adjacent to the proposed apartment building, in accordance with adopted parking standards. The requirement for at least 2 parking spaces with EV charging points and the provision of ducting/cabling to all other spaces would be secured by condition.

A cycle store is proposed which is considered acceptable, subject to the imposition of a condition to agree its detailed design and the provision of a cycle stand for visitors.

No objections are raised by the Highway Engineer with regard to the sites accessibility in relation to employment, retail, schools, health centres, hospitals and evening economy uses and the site is within walking distance of a bus route, a large food store, two primary schools and various other shops and services. It is noted that none of the junctions/accesses on Reuben Street have dropped kerbs with tactile paving and there are missing sections of footway which will hamper pedestrian access to the site. As such, a condition is recommended to require the provision of uncontrolled pedestrian crossings and footway improvements along Reuben Street, which would be delivered either as part of the current proposal or as a requirement of condition 16 of the recently approved 8 apartment scheme to the North of the site (DC073720).

In conclusion, in the absence of objections from the Highway Engineer and subject to the imposition of the conditions, it is considered that the proposed development could be accessed and serviced in a safe and practical manner, adequate car parking would be provided and the proposal should not have a material impact on the local highway network. As such, the proposal complies with Core Strategy DPD policies SD-6, SIE-1, CS9, T-1, T-2 and T-3 and the Sustainable Transport SPD.

### Impact on Trees

The detailed comments received to the application from the Council Arboricultural Officer are contained within the Consultee Responses section above.

It is noted that existing trees on site are not protected by way of Tree Preservation Order or Conservation Area status. As such, consideration must be had of the fact that existing trees on the site could be worked to or removed without the requirement for consent.

The Arboricultural Officer notes that no Arboriculture Report has been submitted in support of the application and that the proposal would have a negative impact on existing trees on the site. However, the Arboricultural Officer acknowledges that the proposed construction will not have an impact on the trees on site and within neighbouring properties, and therefore it is only acceptable in its current format with the submission of a landscaping scheme secured via an appropriately worded condition. The condition would include the requirement for the submission, approval and implementation of a replacement planting and landscaping scheme.

In view of the above, in the absence of objections from the Arboricultural Officer and subject to conditional control, the proposal is considered acceptable with regard to its impact on trees, in accordance with Core Strategy DPD policies SIE-1 and SIE-3.

### Impact on Protected Species and Ecology

A Preliminary Ecological Assessment has been submitted in support of the application. The detailed comments received to the application from the Council Nature Development Officer are contained within the Consultee Responses section above.

It is noted that the site has no nature conservation designations, legal or otherwise. The Ecological Assessment submitted in support of the application confirms that the existing structures on the site proposed for demolition offer negligible potential to support roosting bats, none of the trees on the site were found to have suitable bat roosting features, therefore the proposal is considered to be of low risk to roosting bats. Nevertheless, the applicant will be advised of the potential for bats to be present on the site, the legislation in place to protect biodiversity and procedures to follow should bats or other protected species be discovered on site by way of informative. In relation to birds, a condition is recommended to prevent any demolition or vegetation clearance during the bird breeding season, unless it can be demonstrated that no birds would be harmed and/or appropriate mitigation measures are in place to protect nesting birds.

No evidence of badger activity was recorded within 200 metres of the site, however access to the North Eastern portion of the site was restricted during the ecological survey. As such and as a precautionary measure, a condition is recommended to require the submission of a pre-works survey to confirm badger absence and no change in baseline conditions.

Invasive species, in the form of Japanese Knotweed, was recorded along the South Eastern boundary of the site. As such, a condition is recommended to require the submission and approval of an invasive non-native species protocol, to detail the containment, control and removal of Japanese Knotweed on the site.

Further conditions are recommended by the Nature Development Officer to require the provision of biodiversity enhancements and locally native species within the proposed landscaping scheme; to require the provision of gaps within any proposed boundary treatment to maintain habitat connectivity; and to ensure that any proposed external lighting is sensitively designed to minimise adverse impacts on wildlife.

In view of the above, in the absence of objections from the Council Nature Development Officer and subject to the imposition of suitably worded planning conditions, the proposal is considered acceptable with regard to its impact on protected species, biodiversity and the ecological interest of the site, in accordance with Core Strategy DPD policy SIE-3.

### Land Contamination

A Preliminary Land Contamination Risk Assessment has been submitted in support of the application. The detailed comments received to the application from the Council Environment Team are contained within the consultee responses section above.

The Environment Team notes that the Phase 1 Report submitted in support of the application recommends the undertaking of a Phase 2 report for soil and gas. As such, it is recommended that conditions are imposed, which should be applied as a phased approach, to require the submission, approval and implementation of an investigation, risk assessment, remediation scheme and remedial action into potential land contamination and landfill gas at the site.

Subject to compliance with such conditions, it is considered that the proposed development would not be at risk from land contamination or landfill gas migration, in accordance with Core Strategy DPD policies CS8 and SIE-3.

### Flood Risk and Drainage

The detailed comments received to the application from the Council Drainage Engineer/Lead Local Flood Authority and United Utilities are contained within the Consultee Responses section above.

In raising no objections to the proposal, both the Drainage Engineer/Lead Local Flood Authority and United Utilities acknowledge that appropriate drainage of the development could be secured by conditional control. This would require foul and surface water to be drained on separate systems; the submission, approval and implementation of an appropriate surface water drainage system; and management and maintenance of such a drainage system at all times thereafter.

Subject to compliance with such conditions, it is considered that the proposed development could be drained in a sustainable and appropriate manner without the risk of flooding elsewhere, in accordance with saved UDP policy EP1.7 and Core Strategy DPD policies SD-6 and SIE-3.

### Impact on Former Canal

The application site is located on the line of the former Manchester to Stockport Canal and the proposal is therefore subject to consideration under the provisions of saved UDP policy L1.10. This policy seeks to consider creating or improving recreational uses of former rail or canal routes, but does not require the route to be protected in its entirety. The policy is very much an aspiration to improve recreational routes, but does not cover the opening up of previous canals, albeit the supporting text to the policy states '*The Council will have regard to the Stockport Branch Canal and the potential for restoration. The Council will have regard to the need to ensure that the route is not unnecessarily severed by new buildings and non-transport uses*'.

Notwithstanding the above, it is noted that there are already a number of existing buildings and uses within and in the vicinity of the site which pre-date saved UDP policy L1.10. These existing buildings and uses include residential development to the North of the site, buildings within the Manchester Road Retail Park, in particular the 'Asda' superstore to the South of the site and existing buildings within the application site itself. Consideration must also be taken of the fact that residential development has previously been considered acceptable at the site in 2016 (Reference : DC062105), 2018 (Reference : DC066556) and 2020 (Reference : DC074910).

In view of the above, noting the existence of existing built development and uses to the North and South of the site and the extant outline planning permission for redevelopment of the site, it is considered that the route of the former Canal is already severed. On this basis, protection of the former Canal could not be warranted in this location as it could not serve as a functional nor desirable recreational route. As such, the existence of the former canal should not preclude the redevelopment of the site as proposed.

### Energy Efficiency

Although the proposed development for less than 10 residential units does not trigger the Council's carbon reduction targets, as defined by Core Strategy DPD policy SD-3, an Energy Statement has been submitted in support of the application.

The Energy Statement confirms that energy efficiency measures would be incorporated within the fabric of the building, in order to comply with current Building Regulations. The energy statement for this application is broadly compliant with Core Strategy Policy SD3 and proposes a vertical wind turbine to provide electricity for the lift and has identified solar PV (estimated carbon saving of 3314kg / year) and solar hot water (estimated carbon saving of 1840kg / year) as potential options for the development.

On this basis, the submitted Energy Statement is compliant with the requirements of Core Strategy DPD policy SD-3.

### Developer Contributions

With regard to affordable housing, notwithstanding the requirements of Core Strategy DPD policy H-3 and the Provision of Affordable Housing SPG, the NPPF states that the provision of affordable housing should not be sought for residential developments that do not comprise major developments (10 residential units or 1000 square metres of floorspace). As such, on the basis of the proposal for 9 no. apartments/840 square metres of floorspace, there is no requirement for affordable housing provision within the development.

In accordance with saved UDP policy L1.2, Core Strategy DPD policy SIE-2, the Open Space Provision and Commuted Payments SPD and the NPPG, there is a requirement for the provision and maintenance of formal recreation and children's play space and facilities within the Borough to meet the need of residents of the proposed development. In view of the population capacity of the proposed development (population of 27 = £40,392), this would be provided off-site and would be secured by a s106 Agreement.

## **SUMMARY**

At the heart of the NPPF is a presumption in favour of sustainable development. Paragraph 8 of the NPPF establishes three dimensions to sustainable development – economic, social and environmental and Paragraph 8 of the NPPF indicates that these should be sought jointly and simultaneously through the planning system.

The location of the site within an allocated Employment Area and the requirements of saved UDP policy E3.1 and Core Strategy DPD policies CS7 and AED-3 are acknowledged. However, it is considered that the applicant has clearly demonstrated that the site is no longer appropriate for employment use in order to justify the release of the site for residential development and approval of the application as a departure from the development plan. The principle of the development has previously been considered acceptable at the site as a departure from the development plan in the following approvals:

- 2016 (Reference : DC062105)
- 2018 (Reference : DC066556) and
- January 2020 (Reference : DC074910)

Further weight is afforded to the proposed residential development, due to the accessible and sustainable location of the site and the provision of much needed residential development on a previously developed, 'brownfield' site, at a time of housing under-supply within the Borough.

It is considered that the siting, scale and design of the proposed development could be successfully accommodated on the site without causing undue harm to the visual amenity of the area or the residential amenity of surrounding properties. In the absence of objections from relevant consultees and subject to conditional control, the proposal is considered acceptable with regard to the issues of traffic generation, parking and highway safety; impact on trees; impact on protected species and ecology; flood risk and drainage; land contamination; impact on the former Stockport to Manchester Canal; and energy efficiency.

In view of the above, notwithstanding the site allocation within an Employment Area and the fact that approval of the development would constitute a departure from the development plan, the proposal is considered to represent sustainable development. On this basis, notwithstanding the objection raised to the proposal, in accordance with the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the application is recommended for approval.

## **RECOMMENDATION**

Grant - Should Members agree the recommendation, the application should be referred to the Planning and Highways Regulation Committee for determination as a departure from the Development Plan.